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January 15, 2021

**VIA ECF**

The Honorable Gina L. Simms  
United States Magistrate Judge  
The United States District Court for the  
District of Maryland  
6500 Cherrywood Lane  
Greenbelt, Maryland 20770

**Re: Noel, Derrick, *et. al.* v. PACCAR Financial Corp., *et al.***  
**Case No.: 8:18-cv-03936-GLS**

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Dear Judge Simms:

This firm represents defendant PACCAR Financial Corp. ("PFC") in this case. We are aware of the filing by co-defendant Bell & Williams Associates, Inc. ("B&W"), of correspondence pursuant to this Court's Letter Order dated November 19, 2019, concerning its proposed Motion to Dismiss for Failure to State a Claim Upon Which Relief can be Granted.

PFC also intends to file a motion to dismiss for failure to state a claim upon which relief can be granted. The grounds for the motion are largely set forth in B&W's pre-motion submission (ECF No. 70). For this reason, PFC will not repeat them here, and joins in and adopts those arguments as they apply to PFC for Counts I and III of the Third Amended Complaint.

PFC adds that the same deficiencies B&W raises as to Counts I and III apply equally to Count II of the Third Amended Complaint that alleges a breach of contract against PFC based on the repossession. As pointed out by B&W, Plaintiffs have still failed to set forth in compliance with this Court's strict pleading requirements precisely how the repossession was allegedly unlawful as to PFC and the other Defendants. As a result, the Third Party Complaint in its entirety should be dismissed with prejudice.

Respectfully submitted,

/ s / Scott A. Thomas

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PACCAR Financial Corp.*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that, on this 15<sup>th</sup> day of January, 2021, a copy of the foregoing was sent via the Court's ECF notification system to those receiving notice

/ s / Scott A. Thomas

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